

Message Text

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46

ACTION L-03

INFO OCT-01 ARA-16 ISO-00 SCA-01 JUSE-00 SS-20 DRC-01

RSC-01 /043 W

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FM AMEMBASSY NASSAU

TO SECSTATE WASHDC 5228

UNCLAS NASSAU 258

E.O. 11652: N/A

TAGS: CPRS, PFOR, BF

SUBJECT: HUGHES INJUNCTION

REF: (A) STATE 27318; (B) NASSAU 202

1. RE PARA 1, REF (A) RELEVANT WORD WAS TRANSMITTED IN REF
(B) AS "EXECUTIVE RPT "EXECUTIVE" AND SHOULD SO READ.

2. RE PARA 2, REF (A) EMBASSY DECIDED TO HAVE NO REPRESENTATIVE
PRESENT AT HEARING. REF B WAS BASED ON OTHER SOURCES WHICH
INDICATE NO MORE EXTENSIVE DISCUSSION OF CONSTITUTIONAL POINT
THAN WAS REPORTED THEREIN. ARTICLE 19, SECTION 1, (G) IS PART OF
NEW 1973 BAHAMIAN CONSTITUTION AND HAS NEVER BEEN TESTED OR
INTERPRETED BY THE COURTS.

3. TEXT OF ARTICLE 19, SECTION 1, (G) FOLLOWS:

BEGIN TEXT:

(1) NO PERSON SHALL BE DEPRIVED OF HIS PERSONAL LIBERTY
SAVE AS MAY BE AUTHORIZED BY LAW IN ANY OF THE FOLLOWING
CASES - ...

(G) FOR THE PURPOSE OF PREVENTING THE UNLAWFUL ENTRY
OF THAT PERSON INTO THE BAHAMAS FOR THE PURPOSE OF
EFFECTING THE EXPULSION, EXTRADITION OR OTHER LAWFUL
REMOVAL FROM THE BAHAMAS OF THAT PERSON OR THE TAKING
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OF PROCEEDINGS RELATING THERETO; AND, WITHOUT PREJUDICE

TO THE GENERALITY OF THE FOREGOING, A LAW MAY, FOR THE PURPOSES OF THIS SUB-PARAGRAPH, PROVIDE THAT A PERSON WHO IS NOT A CITIZEN OF THE BAHAMAS MAY BE DEPRIVED OF HIS LIBERTY TO SUCH EXTENT AS MAY BE NECESSARY IN THE EXECUTION OF A LAWFUL ORDER REQUIRING THAT PERSON TO REMAIN WITHIN A SPECIFIED AREA WITHIN THE BAHAMAS OR PROHIBITING HIM FROM BEING WITHIN SUCH AN AREA.

END TEXT.
GROENEWEG

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